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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/811,442

03/20/2001

Yoshinori Kitahara

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09/14/2005

REED SMITH LLP

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EXAMINER

VO, HUYEN X

ART UNIT

PAPER NUMBER

2655

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/811,442

Applicant(s)

KITAHARA ET AL.

Examiner

Huyen X. Vo

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,2 and 4-19 is/are rejected.  
7) ☒ Claim(s) 3 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 20 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-6, 10, 12, 14, 16, and 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Dietz (US 6385586).
3. Regarding claims 1, 12, and 18, Dietz discloses a method for providing a speech interpretation service, comprising: providing an interpretation server having resident thereon a plurality of registered sentences to be interpreted (*col. 4, line 65 to col. 5, line 20, any speech recognizer inherently includes acoustic models associated with language models, which are model sentences*); displaying the plurality of registered sentences on a mobile terminal display communicatively connected to the interpretation server (*col. 4, line 65 to col. 5, line 20, particularly col. 5, lines 1-8, recognition results are sent back to the client for verification*); displaying in accordance with languages available at the interpretation server of an interpretable language classification menu on the mobile terminal (*col. 4, lines 43-64, user is provided with the “option of overriding/changing” source language and target language. For further details of language menu, referring to Fushimoto (US 5742505), figures 17-18*); receiving speech,

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in a first language, inputted to the mobile terminal displaying at least one of the plurality of registered sentences, at the interpretation server (*col. 4, line 65 to col. 5, line 20*); recognizing by the interpretation server of the speech inputted based on a comparison of the inputted speech to the plurality of registered sentences to be interpreted (*col. 4, line 65 to col. 5, line 20, speech recognizer*); interpreting, by the interpretation server, the recognized speech into a second language, according to said recognizing (*col. 4, line 65 to col. 5, line 20, translation system*); and outputting a translation signal correspondent to the second language to the terminal from the interpretation server (*col. 4, line 65 to col. 5, line 20*).

4. Regarding claims 4-6, 10, and 19, Dietz further teaches that the communicative connection is a telephonic audio network connection (*col. 3, lines 61-67*); wherein the translation signal comprises an audio signal that is outputted via the telephone network (*col. 3, lines 61-67 and col. 5, lines 1-20*); receiving an approval instruction from the mobile terminal before said outputting a translation signal correspondent to the second language (*col. 5, lines 1-20*); wherein the approval instruction is a press button approval instruction given at the mobile terminal, and wherein said outputting a translation signal correspondent to the second language is in accordance with the approval instruction, and narrowing, based on a dictionary database, the ones of the plurality of registered sentences to ones related to the displayed at least one of the registered sentences (*the functionality of a speech recognizer, which is able to identify and determine the best recognition result*).

5. Regarding claims 14 and 16, Dietz further disclose the speech interpretation server of claim 12, further comprising: a comparator, wherein said comparator compares the inputted speech to the plurality of model sentences displayed on the terminal in order to generate the prescribed symbol string (*that is the functionality of a speech recognizer*), wherein said speech output comprises a speech synthesizer output that outputs the second language to the mobile terminal in audio (*col. 5, lines 1-39*).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz (US 6385586) in view of Fushimoto et al. (US 5742505).

8. Regarding claim 2, Dietz fails to specifically disclose the method of claim 1, wherein the communicative connection comprises a mobile Internet network, further comprising: receiving, from the mobile terminal, a selection input of the second language from the language classification menu. However, Fushimoto et al. teach the

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step of receiving, from the mobile terminal, a selection input of the second language from the language classification menu (*figures 17-18A-C*).

Since Dietz and Fushimoto et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dietz by incorporating the teaching of Fushimoto et al. in order to enable the user to specify the server to perform language translation appropriately.

9. Claim 7-9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz (US 6385586) in view of Goldberg et al. (US 6161082), and further in view of King (US 6532446).

10. Regarding claims 7-8, Dietz fails to specifically disclose that the approval instruction is an audio approval instruction given at the mobile terminal, and wherein the approval instruction is selected from a speaking set, and wherein the audio approval instruction is at least one selected from the group consisting of a specific spoken word, a specific spoken phrase, and a specific spoken sentence, from the speaking set and wherein said outputting a translation signal correspondent to the second language is in accordance with the approval instruction. However, Goldberg et al. teach that the approval instruction is an audio approval instruction given at the mobile terminal (*col. 6, lines 63; col. 4, line 63 to col. 5, line 4*), and the outputting of a translation signal

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correspondent to the second language is in accordance with the approval instruction (*col. 5, line 10*).

Since Dietz and Goldberg et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dietz by incorporating the teaching of Goldberg et al. in order to provide conveniences for the user to verify speech recognition results.

The modified still fails to specifically disclose Goldberg et al. describes that subscribers may be prompted for the desired language format. Once the intended recipient chooses the language format, the translated signal can be outputted. Goldberg et al. do not disclose an audio instruction that is selected from a speaking set. However, King et al. teach the use of a manual (*keypad or touch-screen*) or spoken input utilizing speech recognition to navigate a menu [claimed speaking set] displayed on a mobile device. The menu can be strings of phone numbers and sentences and other stored information (*col. 11, line 25*). Hands-free menu navigation is a beneficial feature for users operating mobile devices.

Since modified Dietz and King et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Dietz by incorporating the teaching of King et al. in order to enable the user to input instructions either manually or by audio to navigate the menus of a mobile device as taught by King. This would have empowered mobile users with the manual and hands-free operation features.

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11. Regarding claim 9, Dietz further disclose the method of claim 7 further comprising repeating said outputting a translation signal correspondent to the second language in accordance with the approval instruction upon each receipt of the approval instruction (*col. 5, lines 1-21*).

12. Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz (US 6385586) in view of Emery et al. (US 5727057).

13. Regarding claims 11 and 17, Dietz fails to specifically disclose the steps of identifying mobile terminals and billing users. However, Emery et al. teach the steps of identifying the mobile terminal based on at least one identifying characteristic (*col. 11, line 5*), and charging a predetermined fee to the identified mobile terminal for said interpreting or service provided (*col. 13, line 60*). It is in the interest of all service providers to be able to track usage by customers for billing and other purposes.

Since Dietz and Emery et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dietz by incorporating the teaching of Emery et al. in order to track subscriber's usage of the service for billing purposes.

14. Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable Dietz (US 6385586) in view of Sukeda et al. (US 5854997).



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15. Regarding claim 13, Dietz fails to specifically disclose the memory comprises: a command sentence table, including a plurality of command sentences, wherein said speech recognizer differentiates the plurality of model sentences from the plurality of command sentences, and wherein each of the plurality of command functions instructs an action by the speech interpretation server. However, Sukeda et al. teach the memory comprises: a command sentence table, including a plurality of command sentences, wherein said speech recognizer differentiates the plurality of model sentences from the plurality of command sentences, and wherein each of the plurality of command functions instructs an action by the speech interpretation server (*col. 2, lines 35 -41*). Sukeda et al. describe a control program that stores model sentences, command sentences and translated sentences in various tables [cards] within a database that resides in the memory of a computer. In addition, the display shows several command functions that can be used to access the data (Fig 3, (202); Fig 4 - Fig 5). Storing data in computer memory and presenting a front-end with icons to retrieve data is basic to database operation.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify combination Dietz to store data in memory and provide command functions as taught by Sukeda et al. since it makes interpreting or translating sentences a much more efficient process (Sukeda et al., col. 2, line 35 -41).

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16. Regarding claim 15, the combination of Dietz in view of Sukeda et al. disclose each of the plurality of model sentences is classified according to a scene of use (menus) (Sukeda et al., Fig 7).

***Allowable Subject Matter***

17. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

18. The following is an examiner's statement of reasons for allowance: Dietz fails to specifically disclose the registered sentences comprise a plurality of scenes, each scene including therein a plurality of model sentences, further comprising: displaying on the mobile terminal a model sentence field; receiving a model sentence field selection of a model sentence from the model sentence field; and wherein said interpreting comprises interpreting the inputted speech according to the model sentence field selection.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

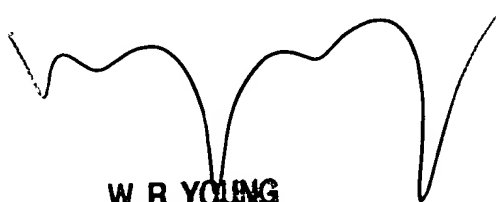
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

8/31/2005

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**W. R. YOUNG**  
**PRIMARY EXAMINER**